

VIRGINIA FAIR HOUSING BOARD

MINUTES OF MEETING

April 15, 2009

The Fair Housing Board Meeting was held at the Department of Professional and Occupational Regulation, 9960 Mayland Drive, Richmond, Virginia. The following Board members were present:

David B. Rubinstein, Chairman
Tonye Epps
Robert Ruais
Stephen McMaster
Martin Maples
Jeffrey Adkins
Penny Johnson
Laura DuPuy
Jim Ginnell

The following Board Members were not present: James Schuyler, Neil Bhatt

DPOR Staff present for all or part of the meeting included:

Jay DeBoer, Director
Mark Courtney, Deputy Director
Christine Martine, Executive Director
Liz Hayes, Fair Housing Administrator
Michelle Gowen, Administrative Assistant
Trudy Miller, Fair Housing Investigator
Angela Keefe-Thomas, Fair Housing Investigator
Karen Taylor, Fair Housing Specialist
Yvette Barnes, Fair Housing Investigator

Tom Payne, Assistant Attorney General with the Office of the Attorney General, was present.

Chairman Rubinstein called the meeting to order at 10:05 **Call to Order** A.M.

A motion was made by Ms. Johnson and seconded by Mr. **Agenda** Maples to approve the Agenda. The motion passed

unanimously. Members voting "Yes" were: Adkins, DuPuy, Epps, Ginnell, Johnson, Maples, McMaster, Ruais, Rubinstein.

A motion was made by Mr. Maples and seconded by Mr. Ruais to approve the following minutes: February 11, 2009, Fair Housing Board Meeting. The motion passed unanimously. Members voting "Yes" were: Adkins, DuPuy, Epps, Ginnell, Johnson, Maples, McMaster, Ruais, Rubinstein.

Minutes

There was no public comment.

Public Comment

Liz Hayes updated the Board on the current investigative case load. No action was taken by the Board.

**Fair Housing
Administrator's Report**

In the matter of **FHB File Number 2009-02564, Felicia N. Blevins v. Cynthia Adams and Bristol Associates Limited**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. The case was closed administratively. No action was taken by the Board.

**FHB File Number 2009-
02564, Felicia N. Blevins
v. Cynthia Adams and
Bristol Associates
Limited**

In the matter of **FHB File Number 2007-02701, Sheila Reed v. Ronnie Lee Motsinger**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation and Official Consultation Memorandum from the Office of the Attorney General. The case was deferred to the next Board meeting. No action was taken by the Board.

**FHB File Number 2007-
02701, Sheila Reed v.
Ronnie Lee Motsinger**

In the matter of **FHB File Number 2009-01097, Sandra Harry v. Dominion Pines Partners, c/o Easley McCaleb & Associates**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. A motion was made by Ms. Johnson and seconded by Mr. Maples to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were: Adkins, DuPuy, Epps, Johnson, Maples, McMaster, Ruais, Rubinstein.

**FHB File Number 2009-
01097, Sandra Harry v.
Dominion Pines
Partners, c/o Easley
McCaleb & Associates**

Mr. Ginnell did not participate in discussion or vote in this matter due to possible conflict of interest.

In the matter of **FHB File Number 2009-02156, Carolyn**

FHB File Number 2009-

Valentine v. Laurel Court Apartments, Inc., the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. A motion was made by Mr. Ruais and seconded by Mr. McMaster to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were: Adkins, DuPuy, Epps, Ginnell, Maples, McMaster, Ruais and Rubinstein.

**02156, Carolyn
Valentine v. Laurel
Court Apartments, Inc.**

Ms. Johnson did not participant in discussion or vote in this matter due to possible conflict of interest.

In the matter of **FHB File Number 2009-01648, Deborah Cole v. Mike Campbell and Reinsch Family, LP**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation and Supplemental Final Investigative Report. A motion was made by Mr. Maples and seconded by Ms. Johnson to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were: Adkins, DuPuy, Epps, Ginnell, Johnson, Maples, McMaster, Ruais, Rubinstein.

**FHB File Number 2009-
01648, Deborah Cole v.
Mike Campbell and
Reinsch Family, LP**

In the matter of **FHB File Number 2008-03599, Karen Webb v. Yvette Carter**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation, Supplemental Final Investigative Report and Official Consultation Memorandum from the Office of the Attorney General.

**FHB File Number 2008-
03599, Karen Webb v.
Yvette Carter**

At 10:21 A.M., Ms. Johnson offered a motion which was seconded by Mr. McMaster, that the Board meeting be recessed and that the Fair Housing Board immediately reconvene in closed meeting for the purpose of consultation with legal counsel and briefings by staff members pertaining to actual or probable litigation as permitted by §2.2-3711.A.7 of the *Code of Virginia*. The following non-members will be in attendance to reasonably aid the consideration of the topic: Tom Payne, Liz Hayes and Karen Taylor.

Closed Session

This motion is made with respect to the matter(s) identified as agenda item(s):

8. FHB File Number 2008-03599, Karen Webb v. Yvette Carter

At 11:51 A.M., a motion was made by Mr. McMaster and seconded by Ms. DuPuy that the Board reconvene in open session.

WHEREAS, the Fair Housing Board has convened a closed meeting on this date pursuant to an affirmative recorded vote in accordance with the provisions of the Virginia Freedom of Information Act; and

Certification

WHEREAS, §2.2-3712 of the *Code of Virginia* requires a certification by this Fair Housing Board that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Fair Housing Board hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Fair Housing Board.

VOTE: 9-0

AYES: Adkins, DuPuy, Epps, Ginnell, Johnson, Maples, McMaster, Ruais and Rubinstein.

NAYS: None.

ABSENT DURING THE VOTE: None.

ABSENT DURING THE MEETING: Bhatt and Schuyler.

In the matter of **FHB File Number 2008-03599, Karen Webb v. Yvette Carter**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation, Supplemental Final Investigative Report and Official Consultation Memorandum from the Office of the Attorney General.

FHB File Number 2008-03599, Karen Webb v. Yvette Carter

A motion was by Mr. Ruais to close the case with a finding of no reasonable cause, having no second, the motion failed.

A motion was made by Mr. Maples and seconded by Mr. Ginnell to find reasonable cause that the Respondent failed to make a reasonable accommodation based on the Complainant's disability. The motion passed by majority vote. Members voting "Yes" were Adkins, DuPuy, Epps, Ginnell, Johnson, Maples, McMaster, and Rubinstein. Member voting "No" was Ruais.

In the matter of **FHB File Number 2009-01661, Bessie Scott v. Meadowgreen Associates, LP**, a motion was made by Mr. McMaster and seconded by Ms. Johnson to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were: Adkins, DuPuy, Epps, Ginnell, Johnson, Maples, McMaster, Ruais and Rubinstein.

FHB File Number 2009-01661, Bessie Scott v. Meadowgreen Associates, LP

In the matter of **FHB File Number 2008-03528, Sherry and Angelo Brown v. Timberlake Community Association, Deborah L. Blotkamp, Carol Ann Oliveira, Mary Montgomery, Teena L. Vogel and Amadon del Rosario**, a motion was made by Mr. McMaster and seconded by Ms. Johnson to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were: Adkins, DuPuy, Epps, Ginnell, Johnson, Maples, McMaster, Ruais and Rubinstein.

FHB File Number 2008-03528, Sherry and Angelo Brown v. Timberlake Community Association, Deborah L. Blotkamp, Carol Ann Oliveira, Mary Montgomery, Teena L. Vogel and Amadon del Rosario

In the matter of **FHB File Number 2009-02546, National Fair Housing Alliance v. Ronald C. Leathers**, a motion was made by Mr. McMaster and seconded by Ms. Johnson to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were: Adkins, DuPuy, Epps, Ginnell, Johnson, Maples, McMaster, Ruais and Rubinstein.

FHB File Number 2009-02546, National Fair Housing Alliance v. Ronald C. Leathers

In the matter of **FHB File Number 2009-02687, Fair Housing Board v. Yvonne and Houston Beatty**, a motion was made by Ms. Johnson and seconded by Mr. McMaster to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were: Adkins, DuPuy, Epps, Ginnell, Johnson, Maples, McMaster, Ruais and Rubinstein.

FHB File Number 2009-02687, Fair Housing Board v. Yvonne and Houston Beatty

A presentation was given by Connie Chamberlin and Susan Scovill of H.O.M.E. (Housing Opportunities Made Equal). No action was taken by the Board.

New Business

Mr. Rubinstein gave the Education Committee Report. A motion was made by Ms. DuPuy and seconded by Mr. McMaster to approve the April 15, 2009, Education Committee Report. The motion passed unanimously. Members voting "Yes" were: Adkins, DuPuy, Epps, Ginnell, Johnson, Maples, McMaster, Ruais and Rubinstein.

Administrative Issues

The Board recessed from 12:37 P.M. to 12:50 P.M.

Break

At 12:55 P.M., Ms. Epps offered a motion which was seconded by Mr. Maples, that the Board meeting be recessed and that the Fair Housing Board immediately reconvene in closed meeting for the purpose of consultation with legal counsel and briefings by staff members pertaining to actual or probable litigation as permitted by §2.2-3711.A.7 of the *Code of Virginia*. The following non-members will be in attendance to reasonably aid the consideration of the topic: Tom Payne and Liz Hayes.

Closed Session

This motion is made with respect to the matter(s) identified as agenda item(s):

Old Business FHB File Number 2008-01789, Camelot of Virginia, LLC v. Wythe County Board of Supervisors

Old Business FHB File Number 2006-01339, Jennifer Price v. Charlottesville Redevelopment and Housing Authority

At 1:35 P.M., a motion was made by Mr. McMaster and seconded by Mr. Ginnell that the Board reconvene in open session.

WHEREAS, the Fair Housing Board has convened a closed meeting on this date pursuant to an affirmative recorded vote in accordance with the provisions of the Virginia Freedom of Information Act; and

Certification

WHEREAS, §2.2-3712 of the *Code of Virginia* requires a certification by this Fair Housing Board that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Fair Housing Board hereby certifies that, to the best of each

member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Fair Housing Board.

VOTE: 9-0

AYES: Adkins, DuPuy, Epps, Ginnell, Johnson, Maples, McMaster, Ruais and Rubinstein.

NAYS: None.

ABSENT DURING THE VOTE: None.

ABSENT DURING THE MEETING: Bhatt and Schuyler.

There being no further business, the meeting adjourned at 1:36 **Adjourn**
P.M.

David B. Rubinstein, Chairman

Jay W. DeBoer, Secretary